

The Honorable James L. Robart

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

THE UNIVERSITY OF WASHINGTON, a  
Washington state agency; THE CENTER  
FOR HUMAN RIGHTS AT THE  
UNIVERSITY OF WASHINGTON, a  
research center created by state law; and  
MINA MANUCHEHRI, a fellow at the  
Center,

Plaintiff,

v.

CENTRAL INTELLIGENCE AGENCY,

Defendant.

CASE NO. 2:15-CV-1577-JLR

**ANSWER TO COMPLAINT**

Defendant, Central Intelligence Agency (“Defendant” or “CIA”) hereby answers the  
numbered paragraphs in the Complaint (“Complaint”) filed by Plaintiffs as follows:<sup>1</sup>

<sup>1</sup> For convenience of reference, Defendant replicates the headings contained in the Complaint herein.

1 INTRODUCTION

2 1-11. The allegations set forth in Paragraphs 1-11 concern matters that are not  
3 material to the issues in this lawsuit, to which no response is required. To the extent a  
4 response is required, Defendant is without knowledge sufficient to admit or deny the  
5 allegations in Paragraphs 1-11, and therefore denies the same.

6 JURISDICTION AND VENUE

7  
8 12. The allegations in Paragraph 12 constitute conclusions of law to which no  
9 response is required.

10 13. The allegations in Paragraph 13 constitute conclusions of law to which no  
11 response is required.

12 PARTIES

13 14. Defendant admits the allegations in paragraph 14 of the Complaint.

14 15. Defendant is without knowledge sufficient to admit or deny the allegations in  
15 paragraph 15 of the Complaint.

16 16. Defendant is without knowledge sufficient to admit or deny the allegations in  
17 paragraph 16 of the Complaint.

18 17. Defendant admits the allegations in paragraph 17 of the Complaint.

19 FACTUAL ALLEGATIONS

20 *First Ochoa Request*

21 18. The allegations in paragraph 18 of the Complaint concern a December 15,  
22 2013, FOIA request from Mina Manuchehri seeking information concerning Colonel  
23 Sigifredo Ochoa Perez ("Ochoa Request"), which speaks for itself. To the extent a response  
24 is required, the allegations in paragraph 18 are denied.

25 19. The allegations in paragraph 19 of the Complaint concern a December 30,  
26 2013, response to the Ochoa Request, which speaks for itself. To the extent a response is  
27 required, the allegations in paragraph 19 are denied.  
28

20. The allegations in paragraph 20 of the Complaint concern a February 4, 2014, FOIA administrative appeal of the response to the Ochoa Request, which speaks for itself. To the extent a response is required, the allegations in paragraph 20 are denied.

21. The allegations in paragraph 21 of the Complaint concern a March 5, 2014, acceptance of the February 4, 2014 administrative appeal, which speaks for itself. To the extent a response is required, the allegations in paragraph 21 are denied.

22. The allegations in paragraph 22 concern a May 6, 2014, response to the administrative appeal, which speaks for itself. To the extent a response is required, the allegations in paragraph 22 are denied.

*Bourgeois Request*

23. The allegations in paragraph 23 of the Complaint concern an April 17, 2014, FOIA request from Mina Manuchehri seeking information concerning Philippe Bourgeois (“Bourgeois Request”), which speaks for itself. To the extent a response is required, the allegations in paragraph 23 are denied.

24. The allegations in paragraph 24 of the Complaint concern an August 21, 2014, request for additional information concerning the Bourgeois Request, which speaks for itself. To the extent a response is required, the allegations in paragraph 24 are denied.

25. The allegations in paragraph 25 of the Complaint concern an October 15, 2014, response to the Bourgeois Request, which speaks for itself. To the extent a response is required, the allegations in paragraph 25 are denied.

26. The allegations in paragraph 26 of the Complaint concern a November 30, 2014, administrative appeal of the response to the Bourgeois request, which speaks for itself. To the extent a response is required, the allegations in paragraph 26 are denied.

27. The allegations in paragraph 27 of the Complaint concern a December 30, 2014, acceptance of the November 30, 2014 administrative appeal, which speaks for itself. To the extent a response is required, the allegations in paragraph 27 are denied.

1       28. The allegations in paragraph 28, concern a March 25, 2015, response to the  
2 November 30, 2014, appeal, which speaks for itself. To the extent a response is required, the  
3 allegations in paragraph 28 are denied.

4                                   *Second Ochoa Request*

5       29. The allegations in paragraph 29 of the Complaint concern a September 15,  
6 2014, FOIA request from Mina Manuchehri seeking information concerning Colonel  
7 Sigifredo Ochoa Perez ("Second Ochoa Request"), which speaks for itself. To the extent a  
8 response is required, the allegations in paragraph 29 are denied.

9       30. The allegations in paragraph 30 of the Complaint concern a November 14,  
10 2014, response to the Second Ochoa Request, requesting clarification of the scope of the  
11 request, which speaks for itself. To the extent a response is required, the allegations in  
12 paragraph 30 are denied.

13       31. The allegations in paragraph 31 of the Complaint are denied.

14                                   FIRST CAUSE OF ACTION

15       32. Defendant repeats and re-alleges its responses to the allegations in paragraphs  
16 1-31 above.

17       33. The allegations in paragraph 33 are denied.

18       34. The allegations in paragraph 34 are denied.

19                                   PRAYER FOR RELIEF

20       Paragraphs A through D contain Plaintiff's prayer for relief to which no response is  
21 required. To the extent a response is deemed required, the Defendant denies the allegations  
22 set forth in Paragraphs A through D and specifically denies that Plaintiff is entitled to any  
23 relief whatsoever. Pursuant to Rule 8(b) of the Federal Rules of Civil Procedure, Defendant  
24 asserts a general denial as to those allegations contained in Plaintiff's Complaint that are not  
25 specifically admitted herein.  
26  
27  
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AFFIRMATIVE DEFENSE

Plaintiffs Center for Human Rights and University of Washington did not submit the FOIA request at issue in this case. Accordingly, they lack standing to assert claims under the FOIA. *See McDonnell v. United States*, 4 F.3d 1227, 1235-39 (3rd Cir. 1993); *Osterman v. U.S. Army Corps of Engineers*, 2014 WL 5500396 (WDWA, Oct. 30, 2014).

WHEREFORE, having fully answered, Defendant respectfully requests that Judgment be entered for Defendant, and that this Court award Defendant such other and further relief as the Court may deem just and proper.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Western District of Washington and is a person of such age and discretion as to be competent to serve papers;

It is further certified that on this date, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following CM/ECF participant(s):

Thomas R. Burke	<a href="mailto:Thomasburke@dwt.com">Thomasburke@dwt.com</a>
Tom Wyrwich	<a href="mailto:Tomwyrwich@dwt.com">Tomwyrwich@dwt.com</a>

I further certify that on this date, I mailed by United States Postal Service the foregoing document to the following non-CM/ECF participant(s)/CM/ECF participant(s), addressed as follows:

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Dated this 23<sup>rd</sup> day of December, 2015.

s/ Wendy D. Campbell  
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